AMENDMENTS TO THE DRAWINGS:

The attached drawing sheet includes changes to Figure 1.

As requested by the Examiner in the Office Action dated December 28, 2005 (the "Office Action"), Figure 1 has been revised to reflect the appropriate reference sign mentioned in the description, *i.e.*, "decoder 110" has been changed to "decoder 120." Figure 1 has also been amended to properly reflect the communication signals 40 between the station 30 and two-way radios 100 and to show an arrow on the top of communication signals 40 between the station 50 and two-way radios 10. Finally, the drawing has been amended to include the legends as required by the Examiner in his July 5, 2005, Office Action.

Attachments: One Annotated Sheet Showing Changes.

One Replacement Sheet.

REMARKS

In the Office Action mailed December 28, 2005, the Examiner rejected the claims as being unpatentable over Boyle et al., United States Patent No. 6,138,158 ("Boyle"). Applicant has filed a Request for Continued Examination and submits that the claims as amended are patentable over Boyle.

1-2. In points 1-2 of the Office Action, the Examiner objected to Figure 1. As requested by the Examiner, Figure 1 has been revised to reflect the appropriate reference sign mentioned in the description, *i.e.*, "decoder 110" has been changed to "decoder 120." Figure 1 has also been amended to properly reflect the communication signals 40 between the station 30 and two-way radios 100 and to show an arrow on the top of communication signals 40 between the station 50 and two-way radios 10. Finally, the drawing has been amended to include the legends as required by the Examiner in the July 5, 2005, Office Action. The original drawing and specification explaining the drawing supports these amendments.

3. In point 3 of the Office Action, the Examiner withdrew a prior objection to the claims in view of Applicant's October 6, 2005, Amendment. Applicant acknowledges such action.

4-9. In points 4-9 of the Office Action, the Examiner rejected claims 1-10 under 35 U.S.C. § 112, second paragraph. According to the Examiner, it is not clear how the system can be practiced in reverse. It is respectfully submitted that the amendments to claims 1 and 10 overcome this rejection. That is, claim 1 has been amended (and reworded in some instances) to further clarify that that communication signals are bi-directionally exchanged between a first two-way radio and a said second two-way radio

via a bi-directional computer network link between the base/repeater station and the target station, *i.e.*, the communication signals flow in both the forward and reverse directions. In addition, claim 10 has been amended to further clarify that the computer network link can be initiated from either of the two-way radios in the system where the target station is equipped with a decoder and controller such that it can act as base/repeater station.

The amendments to claim 10 find support in the specification at least at page 9, lines 9-10. The amendments to claim 1 find support in the specification as follows:

That the first two-way radio also comprises a means for sending and receiving communication signals to and from a base/repeater station: at least in the specification at page 6, lines 3-5, and original FIG. 1, reference number 20.

That the base/repeater station also comprises a means for sending and receiving communication signals to or from said first two-way radio: at least in the specification at page 6, lines 3-5, and original FIG. 1, reference number 20.

That the target station further comprises a means for sending and receiving communication signals to and from a second two-way radio: at least in the specification at page 9, lines 3-5, and original FIG. 1, reference number 40 between said target station 30 and two-way radio 100.

That the second two-way radio also comprises a means for sending and receiving communication signals to and from a target station: at least in the specification at page 9, lines 3-5, and original FIG. 1, reference number 40 between said target station 30 and two-way radio 100.

That the system provides a means whereby communication signals can be bi-directionally exchanged between said first two-way radio and said second two-way radio via said bi-directional computer network link between said base/repeater station and said target station: at least in the specification at page 4, lines 9-22, and original FIG. 1.

10-15. In points 10-15 of the Office Action, the Examiner rejected claims 1-18 under 35 U.S.C. §112, second paragraph. According to the Examiner, the claims fail to

comply with the written description requirement because they contain subject matter that was not described in the original specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

As to claims 1-10, the Examiner asserts that the limitation added to base claim 1(in the October 6, 2005, amendment) that the "system can be practiced in reverse" is not described in the original specification. This rejection as to claim 1 has been mooted by the forgoing amendments to claims 1 and 10, which, as explained above, have support in the original application.

As to claims 11-18, the Examiner asserts that the limitation added to base claim 11 (in the October 6, 2005, amendment) to provide for "(f) repeating steps (a) through (e) in reverse" was not described in the original specification. This rejection as to claim 11 has been mooted by the forgoing amendments to claim 11, which have support in the original application. Specifically, claim 11 has been amended to further clarify that that communication signals are bi-directionally exchanged between a first two-way radio and a said second two-way radio via a bi-directional computer network link between the base/repeater station and the target station, *i.e.*, the communication signals flow in both the forward and reverse direction.

The amendments to claim 11 find support in the specification as follows:

Subpart (f), transmitting communication signals from said second two-way radio to said target station: at least in the specification at page 9, lines 3-5, and original FIG. 1, reference number 40 between said target station 30 and two-way radio 100.

Subpart (g), transmitting communication signals over said computer network link to a base/repeater station: at least in the specification at page 9, lines 9-10, and original Figure 1.

Subpart (h), transmitting a communication signal from said base/repeater station to said first two-way radio: at least in the specification at page 6, lines 3-5, and original FIG. 1, reference number 20.

16-17. In points 16-17 of the Office Action, the Examiner objected to claims 1-3, 5, 7-13 and 16-18 under 35 U.S.C. § 103 as being unpatentable over Boyle.

Regarding claim 11, the Examiner found that Boyle discloses, *inter alia*, transmitting real time voice and/or data communications from a first mobile two-way radio (106) to a second two-way radio. It is respectfully submitted that Boyle does not show this claimed feature. Boyle discloses transporting updated information from a computer web server to a mobile device. Col. 4, lines 4-36. That is, there is no second mobile device in contact with the first mobile device. In particular, Boyle discloses a way of making subscribing mobile devices aware of updated content in a web server without constantly sending updates to the mobile devices. The problem Boyle seeks to correct is the heavy traffic in networks that constantly updating mobile units can cause. The alternative proposed by Boyle is to allow a web server with updated content to send a notification, or electronic message, to the mobile devices characterized by a subscriber ID advising the subscribing users that content has been updated; the users can then make a decision as to whether to fetch the updated content. Col. 4, lines 4-36. The subscriber ID allows a particular mobile device to be targeted by a web server. *See, e.g.*, Figs. 5 and 6 and col. 7, lines 33 to 36.

In contrast, claim 11 as amended is quite specific that the method involves the exchange of real time voice or data communications between two radios with a computer network as the conduit for the exchange of the communications between the radios and without the use of a subscriber ID. In other words, the method of claim 11 is symmetrical

with a radio on either end and a computer network in the center. In the method, communications from one two-way radio are sent to a station which transfers them over a computer network link to another station which sends the communications to a second two-way radio, which, in turn, sends another communication over the same components in the same manner back to the first two-way radio.

Because Boyle does not disclose or suggest the limitations of independent claim 11, it does not render obvious claims 12-18, which depend from it.

The differences between claim 1 and Boyle are equally striking. According to the Examiner, Boyle renders claim 1 unpatentable on the same basis he found claim 11 unpatentable. However, as explained above, Boyle discloses communications between a computer and a mobile device and not communications exchanged between two radios using a computer network as a conduit. While the Boyle system is asymmetrical in that there is a computer on one end and a mobile device on the other, the system of claim 1 is symmetrical with a two-way radio on either end and a computer network in the center such that communications can be exchanged between the radios.

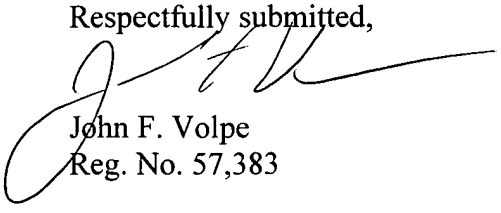
Because Boyle does not disclose or suggest the limitations of independent claim 1, it does not render obvious claims 2-10, which depend from it. Furthermore, claim 10 is patentable over Boyle for another reason. As amended, claim 10 allows the computer network link to be initiated from either end of the system. That is, by equipping the second two-way radio with a signaling means and the target station with a decoder and controller, the target station may act as the base/repeater station and open the computer network link for the exchange of real time voice and/or data communications between the two radios.

18. In point 18 of the Office Action, the Examiner rejected claims 4, 6 and 14-15 under 35 U.S.C. § 103(a) as being unpatentable over Boyle in view of the "Admitted Prior Art (disclosed on page 2, second full paragraph and page 6, second full paragraph of the present specification)." According to the Examiner, the protocols specified in these claims are conventional and use of them is an obvious expedient as an engineering design choice. However, as explained above, the claims contain allowable subject matter and, therefore, are patentable regardless of whether the use of the protocols specified in these claims is an obvious engineering design choice. In other words, Boyle does not teach or suggest the limitations of the independent claims upon which the subject claims are based and combining Boyle with the "Admitted Prior Art" that does not cure the deficiencies of Boyle.

19. In paragraph 19 of the Office Action, the Examiner dismissed as moot the arguments asserted in Applicant's October 4, 2005, Amendment. In any event, Applicant respectfully submits that Boyle does not render the present invention unpatentable on any basis.

Early and favorable action is earnestly solicited.

Respectfully submitted,



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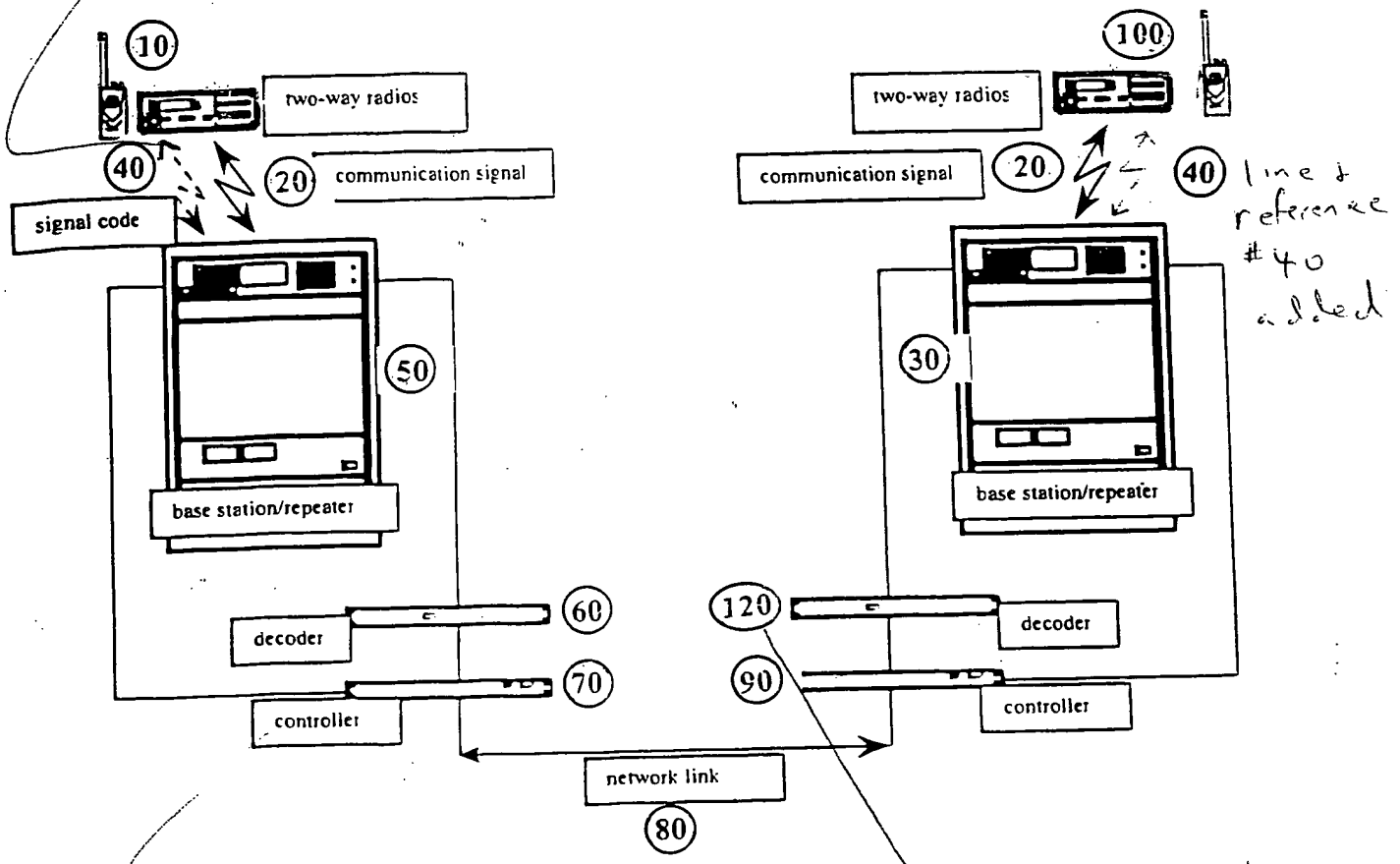
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two-way radios
40
20
communication signal
signal code
50
base station/repeater
60
decoder
70
controller
network link
80
100
two-way radios
communication signal
20
40
line & reference #40 added
30
base station/repeater
120
decoder
90
controller
all legends added as per 7/5/05 office Action
reference # changed from 110

Figure 1